

MACCO & STERN, LLP

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3 March, 2015

Via Electronic Case Filing

Honorable Alan S. Trust  
United States Bankruptcy Court  
Alfonse M. D'Amato U.S. Courthouse  
290 Federal Plaza  
Central Islip, NY 11722

**Re: Medford Development Corp. v. Cumberland Farms, et al.,  
Ch. 11 Adv. Proc. No. 15-08020 (AST)**

Honorable Sir:

This firm represents the plaintiff Medford Development Corp. in the above referenced matter. Please allow this letter to serve as confirmation that the Court has scheduled a hearing in the Adversary Proceeding for **March 11, 2015 at 11:00 a.m.** According to the Court's directive, parties may appear by phone. Parties are to consult Judge Trust's procedures if they are appearing by phone. Responses regarding this hearing are due by **March 9, 2015 at 4:00 p.m.**

Pursuant to the Court's procedures, all parties-in-interest have been served with a copy of this letter by electronic means. A copy of the affidavit of service evidencing same is enclosed.

Very truly yours,

  
Michael J. Macco

MJM/cs  
Enclosure

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

----- X  
In re:

Chapter 11

Medford Development Corp.	Case No. 8-14-75666 (AST)
Motor Parkway Enterprises Inc.	Case No. 8-14-75667 (AST)
Airport Development Corp.	Case No. 8-14-75683 (AST)
Wheeler Development LLC	Case No. 8-14-75668 (AST)
Smithtown Development Corp.	Case No. 8-14-75669 (AST)
Brentwood Development Corp.	Case No. 8-14-75670 (AST)
Holbrook Development Corp.	Case No. 8-14-75671 (AST)
Carman Development Corp.	Case No. 8-14-75672 (AST)
Maple Avenue Hauppauge Dev. Corp.	Case No. 8-14-75674 (AST)
Port Jefferson Development Corp.	Case No. 8-14-75675 (AST)
Ronkonkoma Development Corp.	Case No. 8-14-75676 (AST)
Islandia Development Corp.	Case No. 8-14-75677 (AST)
Oceanside Enterprises Inc.	Case No. 8-14-75678 (AST)
Islip Development Corp.	Case No. 8-14-75679 (AST)
Westbury Enterprises Inc.	Case No. 8-14-75680 (AST)

Debtors.

(Jointly Administered)

----- X  
Medford Development Corp., et. al,

Plaintiffs,

Adv. Pro. No. 15-08020 (AST)

- against -

Cumberland Farms, Inc., and Gulf Oil Limited  
Partnership,

Defendants.

----- X

**AFFDIAVIT OF SERVICE**

STATE OF NEW YORK)

COUNTY OF SUFFOLK)s:-

Carol Smith, being duly sworn deposes that deponent is not a party to the above-captioned action, is over the age of 18 years and resides at West Islip, New York.

On March 4, 2015, deponent served the within **LETTER PROVIDING NOTICE OF COURT HEARING SCHEDULED FOR MARCH 11, 2015 AT 11:00 A.M.** upon the following parties, at the addresses designated by said parties for that purpose, by depositing a true copy of the same, enclosed in a post-paid properly addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York:

Office of the U.S. Trustee  
Long Island Federal Courthouse  
[USTPRegion02.LI.ECF@usdoj.gov](mailto:USTPRegion02.LI.ECF@usdoj.gov)  
Central Islip, NY 11722

Bruce S. Rosen, Esq.  
McCusker Anselmi Rosen & Carvelli, P.C.  
[brosen@marc-law.com](mailto:brosen@marc-law.com)

William S. Katchen, Esq.  
Law Offices of William S. Katchen, LLC  
[wkatchen@wskatchen.com](mailto:wkatchen@wskatchen.com)



Carol Smith

Sworn to before me this  
4<sup>th</sup> day of March, 2015

/s/ Janine M. Zarrilli  
Notary Public  
Janine M. Zarrilli  
Notary Public, State of New York  
No. 01ZA5084708  
Qualified in Nassau County  
Commission Expires September 8, 2017

**Macco & Stern LLP**  
*Proposed Attorneys for the*  
*Debtors and Debtors-in-Possession*  
135 Pinelawn Road, Suite 120 South  
Melville, NY 11747

**Hearing Date: March 11, 2015**  
**Time: 11:00 a.m.**

**Objections Due: March 9, 2015**  
**Time: 4:00 p.m.**

**UNITED STATES BANKRUPTCY COURT**  
**EASTERN DISTRICT OF NEW YORK**

----- X  
In re: Chapter 11

Medford Development Corp.	Case No. 14-75666 (AST)
Motor Parkway Enterprises Inc.	Case No. 14-75667 (AST)
Airport Development Corp.	Case No. 14-75683 (AST)
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Carman Development Corp.	Case No. 14-75672 (AST)
Maple Avenue Hauppauge Dev. Corp.	Case No. 14-75674 (AST)
Port Jefferson Development Corp.	Case No. 14-75675 (AST)
Ronkonkoma Development Corp.	Case No. 14-75676 (AST)
Islandia Development Corp.	Case No. 14-75677 (AST)
Oceanside Enterprises Inc.	Case No. 14-75678 (AST)
Islip Development Corp.	Case No. 14-75679 (AST)
Westbury Enterprises Inc.	Case No. 14-75680 (AST)

Debtors. (Jointly Administered)

----- X  
Medford Development Corp., et al.,

Plaintiffs, Adv. Pro. No. 15-08020 (AST)

- against -

Cumberland Farms, Inc., and Gulf Oil Limited  
Partnership,

Defendants.  
----- X

**NOTICE OF MOTION FOR ENTRY OF AN**  
**ORDER STAYING THE DISTRICT COURT ACTION**

**PLEASE TAKE NOTICE**, that, by the motion (the “Motion”), dated March 3, 2015, Medford Development Corp. and its affiliated entities (collectively, “Debtors”),<sup>1</sup> the above-referenced debtors and debtors-in-possession, by and through their counsel, Macco & Stern, LLP, will move before the Honorable Alan S. Trust, United States Bankruptcy Judge, Eastern District of New York, at the Courthouse located at 290 Federal Plaza, Central Islip, New York, Room 960, on **March 11, 2015 at 11:00 a.m.** or as soon thereafter as counsel may be heard, for an order pursuant to 105(a) and 362 of title 11 of the United States Code (the “Bankruptcy Code”) staying the action entitled *Cumberland Farms, Inc., and Gulf Oil Limited Partnership v. Steven Keshtgar, Shoreh Keshtgar, Cedarhurst Development Corp., John Doe Corporations 1 Through 10, and John and Jane Does 1 Through 1*, assigned index number 15-CV-00580 (LDW) (AKT) (the “District Court Action”), currently pending the United States District Court for the Eastern District of New York.

**PLEASE TAKE FURTHER NOTICE**, that objections, if any, to the relief sought in the Motion must conform to the Bankruptcy Rules and Local Bankruptcy Rules for the Eastern District of New York, as modified by any administrative orders entered in this case, and be filed with the Bankruptcy Court electronically in accordance with General Order 461, be registered users of the Bankruptcy Court’s filing system and, by all other parties in interest, on a 3.5 inch disk, in portable document format (PDF), WordPerfect, Microsoft Word DOS text (ASCII) or a scanned imaged of the filling, with a hard copy delivered directly to Chambers, and may be served in accordance with General Order 462, and upon (i) counsel to the Debtor, Macco & Stern, LLP, 135 Pinelawn Road, Suite 120 South, Melville, New York 11747; and (ii) the Office

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<sup>1</sup> The Debtors, with associated case numbers, are as follows: (1) Medford Development Corp.; (2) Motor Parkway Enterprises, Inc.; (3) Airport Development Corp.; (4) Wheeler Development LLC; (5) Smithtown Development Corp.; (6) Brentwood Development Corp.; (7) Holbrook Development Corp.; (8) Carman Development Corp.; (9) Maple Avenue Hauppauge Dev. Corp.; (10) Port Jefferson Development Corp.; (11) Ronkonkoma Development Corp.; (12) Islandia Development Corp.; (13) Oceanside Enterprises Corp.; (14) Islip Development Corp.; and (15) Westbury Enterprises Inc.

of the United States Trustee, 560 Federal Plaza, Central Islip, New York 11722, so as to be received no later than **March 11, 2015 at 4:00 p.m.**

Dated: March 4, 2015  
Melville, NY

**MACCO & STERN, LLP**  
Attorneys for the Debtors

By: \_\_\_\_\_

Michael J. Macco  
A Member of the Firm  
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(631) 549-7900